Exhibit M

<table>
<tr><td colspan="4" align="center">U.S. Patent No. 5,403,639</td></tr>
<tr>
<th>Claim No(s).</th>
<th>Claim Term</th>
<th>NetApp's Proposed Construction and Supporting Evidence</th>
<th>Sun's Proposed Construction and Supporting Evidence</th>
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<tr>
<td>22, 36, 38, 39 and 42</td>
<td>"data set"</td>
<td><u>PROPOSED CONSTRUCTION:</u>
Data record.

<u>INTRINSIC EVIDENCE</u>
● See 1: 23-68; 2: 44-3:36; 4:26-33; 4:57-67; 5:23-6:31; 6:39-64; 7:42-8:5; 13:8-51; 16:19-31; 19:50-20:7; 26:59-27:5; 28:20-29:40.

<u>EXTRINSIC EVIDENCE</u>
● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent.

● NetApp reserves the right to rely on any evidence identified by Sun.</td>
<td><u>PROPOSED CONSTRUCTION:</u> Sun contends this term does not require construction because the term is clear on its face.   However, if the Court decides the construe this term, the term should be construed to mean:
"named collection of one or more data records, e.g. a file."

<u>EVIDENCE:</u>
● '639 Patent, Fig. 1 and associated disclosure, Col. 1: 10-68, Col. 2: 1-3:36, Col. 4:26-30, Col. 13:8-25, Col. 32:48-33:66, Claims 22, 36, 38, 39 and 42; '639 Patent Pros. History: July 10, 1994 Amendment and Response to Office Action and references cited therein.
● data set: a named collection of related records. Often synonymous with file. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 5th Ed., (1992) p.308.
● file: a collection of related records treated as a unit. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 4th Ed. (1988), p. 372.
● file: a named set of records stored or processed as a unit. IBM DICTIONARY OF COMPUTING, (1994), p. 268.
● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of</td>
</tr>
</table>

U.S. Patent No. 5,403,639			
Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
			skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
22, 28-29	**"data set pointer"**	**PROPOSED CONSTRUCTION:** A data item comprising a physical address that tells where to find a desired data record. **INTRINSIC EVIDENCE** ●*See* 1: 23-68; 2:1-3:36; 4:26-33; 4:57-67; 5:23-6:3; 6:39-64; 7:42-8:5; 13:8-51; 16:19-31; 19:51-20:7; 26:59-27:5; 28:20-29:40; claim 22. **EXTRINSIC EVIDENCE** ● "**pointer**: (2) a data item consisting of an address that tells where to find a desired item." Dictionary of Computer and Internet Terms (2000). ● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● NetApp reserves the right to rely on any evidence identified by Sun.	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "an identifier that indicates the location of a named collection of one or more data records." **EVIDENCE:** ● '639 Patent, Figs. 1, 4, 9 and associated disclosure, Co. 2:1-3:35, Col. 16:53-17:49, Col. 18:64-19:17, Col. 33:67-35:26, claims 22, 28-29. ● **pointer**: an identifier that indicates the location of an item of data. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 4th Ed. (1988), p. 703. ● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.

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Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
22, 25	**"data set access request from a data processor identifying one of said data sets stored in said set of data sets"**	**PROPOSED CONSTRUCTION:** Request from a data processor seeking direct access to a particular identified data record. **INTRINSIC EVIDENCE** ● *See* 1: 23-68; 2:55-3:10; 4:26-33; 4:57-6:31; 6:39-64; 7:42-8:5; 16:19-31; 16:53-17:24; 19:50-20:7; 21:5-23:11; 26:59-27:5; 28:32-29:52; 33:67-36:3; Figs. 1, 2, 5, 6, 13, 17 and accompanying text. **EXTRINSIC EVIDENCE** ● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● NetApp reserves the right to rely on any evidence identified by Sun.	**PROPOSED CONSTRUCTION:** Sun contends this phrase does not require construction because the phrase is clear on its face. However, if the Court decides the construe this phrase, the phrase should be construed to mean: "command initiating an operation on an identified data set in a set of data sets." **EVIDENCE:** ● '639 Patent: Figs. 1, 5, 13 and associated disclosure, Col. 2:55-3:10, Col. 21:5-22:15, Col. 28:32-29:52, Col. 32:48-35:26, claims 22, 25. ● '639 Patent Pros. History: July 10, 1994 Amendment and Response to Office Action and references cited therein. ● **access**: (1) to obtain the use of a computer resource; (2) the use of an access method; (3) the manner in which files or data sets are referred to by the computer; (4) to obtain data from or to put data in storage. IBM DICTIONARY OF COMPUTING, (1994), p. 3. ● **request**: a directive, by means of a basic transmission unit, from an access control program to perform a data-transfer operation or auxiliary operation. IBM DICTIONARY OF COMPUTING, (1994), p. 574. ● **request data**: … data to be put in a job message cue that is used by a job, for example, a single command or a group of commands. IBM DICTIONARY OF COMPUTING, (1994), p. 574. ● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of

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Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
			skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
22	**"set of data sets managed as a single data entity"**	**PROPOSED CONSTRUCTION:** A plurality data records that must be synchronized for creation, access, and deletion purposes. **INTRINSIC EVIDENCE** ● *See*, 1: 23-68; 2:23-33; 2: 44-3:36; 4:26-33; 4:57-67; 5:23-6:31; 6:39-64; 7:42-8:5; 13:8-51; 16:19-31; 19:50-20:7; 26:59-27:5; 28:20-29:40. **EXTRINSIC EVIDENCE** ● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● NetApp reserves the right to rely on any evidence identified by Sun.	**PROPOSED CONSTRUCTION:** "grouping of named collections of one or more data records, e.g. a group of files, that can be accessed and operated upon as a group" **EVIDENCE:** ● '639 Patent, Fig. 1 and associated disclosure; Col. 2: 1-3:36, Col. 32:49-36:22; '639 Patent Pros. History: July 10, 1994 Amendment and Response to Office Action and references cited therein. ● **data set**: a named collection of related records. Often synonymous with file. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 5th Ed. (1992), p. 308. ● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
22	**"duplicative of"**	**PROPOSED CONSTRUCTION:** Exact copy of. **INTRINSIC EVIDENCE** ● *See* 2:55-3:10; 19:50-58; 20:8-27; 33:67-36:3; claim 22.	**PROPOSED CONSTRUCTION:** Sun contends this phrase does not require construction because the phrase is clear on its face **EVIDENCE:** ● '639 Patent: Col. 2:55-69, Col. 19:50-58, Col.

U.S. Patent No. 5,403,639			
Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
		EXTRINSIC EVIDENCE ● "**duplicate**: (1) to make an exact copy of." The American Heritage Dictionary (2000). ● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● NetApp reserves the right to rely on any evidence identified by Sun.	20:8-14, Col. 33:67-35:26, claim 22. ● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
22	**"maintaining data indicative of a correspondence"**	**PROPOSED CONSTRUCTION:** Storing information that describes a relationship. **INTRINSIC EVIDENCE** ● *See* 2:1-3:36; 19:50-48; 33:67-36:3; Fig. 9 and accompanying text. **EXTRINSIC EVIDENCE** ● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● NetApp reserves the right to rely on any evidence identified by Sun.	**PROPOSED CONSTRUCTION:** Sun contends this phrase does not require construction because the phrase is clear on its face. **EVIDENCE:** ● '639 Patent: Fig. 9 and associated disclosure, Col. 2:1-3:19, Col. 16:5317:49, Col. 18:64-19:17, claim 22. ● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
36, 39	**"virtual data storage volume"**	**PROPOSED CONSTRUCTION:** An image of a data storage volume in which addresses identified by data processors are dynamically mapped to physical storage locations on data storage media.	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean:

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Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
		INTRINSIC EVIDENCE ● *See* 3:10-36; 4:57-22; 15:53-17:24. **EXTRINSIC EVIDENCE** ● Dr. Greg Ganger may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● NetApp reserves the right to rely on any evidence identified by Sun.	"a data storage volume that is addressed through virtual addresses." **EVIDENCE:** ● '639 Patent: Fig. 9 and associated disclosure, Col. 4: 64-67, Col. 16:12-17:24, claims 36, 39. ● **virtual storage (software):** the storage space that may be regarded as addressable main storage by the user of a computer system in which virtual addresses are mapped into real addresses. THE IEEE STANDARD DICTIONARY OF ELECTRICAL AND ELECTRONICS TERMS, 4th Ed. (1988), p. 1078. ● Testimony by experts called by Sun, including Dr. Smith, concerning the meaning of this term to one of skill in the art in the context of its use in the '639 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.